

**REMARKS**

***Status of Application***

Claims 1-6 and 7-13 constitute all currently pending claims in the application. Claims 1-6 are amended. Claim 7 is canceled without prejudice or disclaimer. Applicant respectfully submits that new claims 8-13 are amply supported by the present disclosure, and add no impermissible new matter.

***Double Patenting Rejections***

**A. U.S. Patent Application No. 10/669,729 to Lee et al.**

Claims 1-7 stand provisionally rejected under the doctrine of obviousness-type double patenting as allegedly being unpatentable over claim 1 of co-pending U.S. Patent Application No. 10/669,729 to Lee et al. (“Lee ‘729”).

Applicant respectfully holds in abeyance its response to this provisional rejection, pending further prosecution of the cited reference.

**B. U.S. Patent No. 6,665,346 to Lee et al. and U.S. Patent No. 6,631,162 to Lee et al.**

Claims 1-7 stand rejected under the doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-3, 28-29, and 32-33 of (“Lee ‘346”).

Claims 1-7 stand rejected under the doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-3 of (“Lee ‘162”).

Applicant respectfully submits that claims 1-6 are patentably distinct from the claims of the cited references, at least by virtue of the amendments made herein, and the remarks set forth below.

*Claim Rejections Under 35 U.S.C. § 103*

Claims 1-7 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,474,434 to Kim (“Kim ‘434”) in view of U.S. Patent No. 5,946,421 to Kim (“Kim ‘421”). Applicant traverses this rejection for at least the following reasons.

Independent claims 1 and 4 are amended to require “generating filtering information on whether the data block requires filtering depending on whether all coefficients of pixels in the predetermined region of the data block are equal to zero or not,” and “a generating unit to generate” such filtering information, respectively.

The Examiner contends that Kim ‘434 teaches the generation of flag information, citing Kim ‘434 at col. 7, lines 24-37. This portion of Kim ‘434 shows, however, that although Kim ‘434 appears to generate flag information via the “filtering flag generator 272,” this flag generation is performed according to the following manner:

Referring to FIG. 8, there is shown a detailed circuit diagram of the filtering flag generator 272 in FIG. 5. . . . [T]he filtering flag generator 272 includes . . . an AND gate 272C for generating the filtering flag FF in response to the output signals from the comparators 272A and 272B. Here, the AND gate 272C generates the filtering flag FF when both the output signals from the comparators 272A and 282B are logical “1”.

(Kim ‘434 at col. 7, lines 24-37.)

The method for generating filtering information is thus significantly different in Kim ‘434, and does not appear to depend on “whether all coefficients of pixels in the predetermined region of the data block are equal to zero or not,” as required by amended claims 1 and 4. Thus, Kim ‘434 fails to teach this required element of claims 1 and 4.

Furthermore, the Examiner alleges that Kim '434 "generates filtering flags information at the boundary regions," citing Kim '434 at col. 6, lines 35-42. This portion of Kim, however, merely appears to state that "the filtering performed by the block filtering circuit 280 has the effect of reducing the blocking effect appearing at the boundaries of the blocks." (Office Action at 5.) (emphasis added.) Thus, Kim '434 is not describing the generation of filtering information, but rather, the result of filtering with respect to artifacts at block boundaries.

Kim '421 fails to make up for the deficiencies of Kim '434, as Kim '421 is cited only for its alleged teaching of generating filtering flags based on an intra or inter mode indication. The Kim references, therefore, taken alone or in combination for what they would have meant to one of ordinary skill in the art, fail to render claims 1 and 4 unpatentable. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of independent claims 1 and 4, and their dependent claims 5-7.

### ***Conclusion***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

This Application is being filed via the USPTO Electronic Filing System (EFS). Applicants herewith petition the Director of the USPTO to extend the time for reply to the above-identified Office Action for an appropriate length of time if necessary. Any fee due under 37 U.S.C. § 1.17(a) is being paid via the USPTO Electronic Filing System (EFS). The USPTO is also directed and authorized to charge all required fees, except for the Issue Fee and the

Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said  
Deposit Account.

Respectfully submitted,

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